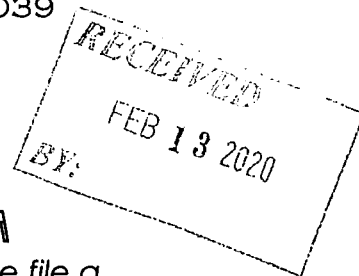


ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD

1740 W. ADAMS ST., SUITE 4600, PHOENIX, ARIZONA 85007

PHONE (602) 364-1PET (1738) FAX (602) 364-1039

VETBOARD.AZ.GOV



COMPLAINT INVESTIGATION FORM

If there is an issue with more than one veterinarian please file a separate Complaint Investigation Form for each veterinarian

PLEASE PRINT OR TYPE

FOR OFFICE USE ONLY

Date Received: FEB 13, 2020

Case Number: 20-72

A. THIS COMPLAINT IS FILED AGAINST THE FOLLOWING:

Name of Veterinarian/CVT: Jolene Conley, DVM

Premise Name: Pet Doctor

Premise Address: 6464 N Oracle Road

City: Tucson State: AZ Zip Code: 85704

Telephone: (520) 829-5166

B. INFORMATION REGARDING THE INDIVIDUAL FILING COMPLAINT*:

Name: Grace A Bonacci

Address:

City: State: Zip Code:

Home Telephone: Cell Telephone:

*STATE LAW REQUIRES WE HAVE TO DISCLOSE YOUR NAME UNLESS WE CAN SHOW THAT DISCLOSURE WILL RESULT IN SUBSTANTIAL HARM TO YOU, SOMEONE ELSE OR THE PUBLIC PER A.R.S. § 41-1010. IF YOU HAVE REASON TO BELIEVE THAT SUBSTANTIAL HARM WILL RESULT IN DISCLOSURE OF YOUR NAME PLEASE PROVIDE COPIES OF RESTRAINING ORDERS OR OTHER DOCUMENTATION.

C. PATIENT INFORMATION (1):

Name: KC Bonacci
Breed/Species: Domestic SH/Cat
Age: 3 (3/25/2016) Sex: M/N Color: Black & White

PATIENT INFORMATION (2):

Name: _____
Breed/Species: _____
Age: _____ Sex: _____ Color: _____

D. VETERINARIANS WHO HAVE PROVIDED CARE TO THIS PET FOR THIS ISSUE:

Please provide the name, address and phone number for each veterinarian.

Jolene M Conley DVM, Pet Doctor, 6464 North Oracle Road, Tucson, AZ 85704,
520-829-5166

Dr Jack Quick DVM & Dr Michael Lawton DVM, PantanoAnimal Clinic 8333 E
22nd St, Tucson, AZ 85710, 520-885-3594

E. WITNESS INFORMATION:

Please provide the name, address and phone number of each witness that has direct knowledge regarding this case.

Other than the Drs mentioned above, Priscilla Marin ~~REDACTED~~ and Mary
Bonacci REDACTED

Attestation of Person Requesting Investigation

By signing this form, I declare that the information contained herein is true and accurate to the best of my knowledge. Further, I authorize the release of any and all medical records or information necessary to complete the investigation of this case.

Signature: _____

Date: _____

F. ALLEGATIONS and/or CONCERNS:

Please provide all information that you feel is relevant to the complaint. This portion must be either typewritten or clearly printed in ink.

Please see attached word document.

KC Bonacci (Grace A Bonacci)
4548 E La Estancia
Tucson, AZ 85718

Complaint:

On January 15, 2020 I brought KC to Pet Doctor, 6464 N Oracle Rd, Tucson, AZ 85704, (520-829-5166) due to what I believed was a hairball. He was seen by Dr. Jolene M Conley, DVM and she proceeded to do an x-ray and then bloodwork. She diagnosed him with bronchitis and gave him Doxycycline and a Depo-Medrol Injection.

On January 21, 2020, I received a call from Dr. Conley stating that KC had Valley Fever which is uncommon in cats. She sent a prescription into Acacia Apothecary and Wellness pharmacy. When I called in and spoke to the pharmacy to see how long it would be to fill the prescription they told me it was called in for a canine not a feline. I corrected them and had them call Dr. Conley back to verify the dosage as they stated it was very high for a cat, Fluconazole 155mg twice a day. I later spoke with Dr. Tara Farrell who confirmed the dosage was verified with the pharmacy.

On February 4, 2020, I called Pantano Animal Clinic, 8333 E 22nd St, Tucson, AZ 85710, (520-885-3594) and obtained an appointment with Dr. Jack Quick who came out of retirement to cover that day. I spoke with Pet Doctor and they said they would email me all of KC's records as we told them we needed them immediately. The next morning around 9 am I called Pet Doctor again as I had not yet received the records.

Dr. Quick examined KC around 10:15 on February 5, 2020, at Pantano Animal Clinic. Pantano Animal clinic contacted Pet Doctor by phone to obtain KC's records. The only information they released to Pantano Animal Clinic was the Coccidioides IgG Titer of 1:32 and said they would email the records. KC was examined and was given Subcutaneous liquids and Mirtazapine Tabs. Dr. Quick stated we needed to get the dosage down as it was 3 times the upper limit of the dosage.

At 4 pm on February 5, 2020, I phoned Pantano Animal Clinic and asked if they had received the records and they told me they hadn't received any records. I promptly got into my car and drove to Pet Doctor where I told the receptionist I needed to speak with a member of management immediately. I spoke with Priscilla Marin giving her the history of the encounters and records request. I asked her for a copy of the records for myself and for them to be emailed to Pantano Animal Clinic immediately, including the x-rays. When she returned with the records she told me there was no record of any of the 3 records requests. I told her the office had a serious problem and that was no way to treat a grim to gravely ill pet. Prior to leaving a staff member had contacted Acacia Apothecary and Wellness pharmacy where they confirmed they had changed the species based upon the dosage. As this is illegal, I am filing a separate complaint with the Arizona State Board of Pharmacy. A call to Pantano Animal Clinic confirmed receipt of KC's records.

On February 12, 2020, KC was drooling and losing weight so I brought him back to Pantano Animal Clinic where we saw Dr. Michael Lawton. Dr. Lawton informed me Dr. Quick left KC on the high dosage thinking it might have some positive effect but it was making him nauseated. He was so dehydrated, despite drinking water the night before that they couldn't draw blood. Dr. Lawton administered Subcutaneous Fluids, Cerenia Injectable solution, Famotidine and Mirazapine Transdermal Ointment. He discontinued the Fluconazole for 1 week when we will retest his blood. If he is not eating and drinking by February 13, 2020, I have to bring him in for a day long hospital stay.

2/19/2020

Jolene Conley, DVM
Associate Veterinarian
Pet Doctor
6464 N Oracle Rd
Tucson, AZ 85704
520-829-5166

To Whom It May Concern:

Grace Bonacci came to Pet Doctor on 1/15/2020 as a new client. Client presented "KC", a feline male neutered domestic shorthair with black and white markings, for the problem of possible hairball. Technician brought client and patient into the exam room, gathered history and, according to exam sheet, client stated that patient had been coughing for a couple weeks, had been losing weight, and feeling lethargic. According to the history gathered, other aspects of the patient's history were normal.

When I entered the room and greeted the client, we discussed the history provided and the client provided supplemental information that the patient was defecating in small pieces.

I performed a physical exam on the patient. He was BAR, with tracheal wheezing that obscured lung sounds, and the feeling of fluidity in the GI tract on abdominal palpation. The patient's physical exam was otherwise normal.

I discussed my physical exam findings and the patient's history with the client extensively. After discussing what, if any, prior labwork the patient may have had in the past, I determined and recommended that the patient have bloodwork done and thoracic radiographs performed as laid out on exam sheet. Included in my recommended bloodwork was a coccidioides (Valley Fever) titer. I determined that this would be an appropriate lab to run based on my physical exam findings, the patient's history, and my experience in diagnosing and managing Valley Fever.

Thoracic radiographs were performed the same day as visit. On interpretation, I noted a moderate bronchial pattern.

Based on radiographic findings, physical exam findings, and patient's history, I determined that medicating patient would be appropriate while waiting for bloodwork results. I administered 1ml of DepoMedrol 20mg/ml subcutaneously and provided Doxycycline 100mg tablets to the client to give to the patient. There were no issues between client and myself or the clinic at the time she left the clinic.

The clinic received lab results from Antech on 1/18/2020, a Saturday, on which the clinic is not open. I returned to the clinic on Tuesday, 1/21/2020 at 8:00AM, and reviewed the lab results. Bloodwork showed that patient was positive for Valley Fever with a 1:32 titer. I called the client regarding the labs on 1/21/2020 at 9:10AM. Client had reported that the patient was feeling better with the treatment I had given. We discussed labs and the uncommon occurrence of Valley Fever in cats. We discussed treatment for Valley Fever and sending a fluconazole prescription to the compounding pharmacy Acacia. Client expressed that she would like to price shop. Provided dose and amount so client could gather

accurate price quotes. Recommended client bring patient back in six months to recheck a Valley Fever titer to monitor treatment course. Client agreed to these recommendations. There were no issues between client, myself, or the clinic at the time of this phone conversation.

I then wrote instructions for fluconazole for clinic technicians to call into Acacia Compounding Pharmacy.

On 1/27/2020, client called and expressed concern that capsules were too difficult to give to patient. I then provided a prescription for a liquid formulation of fluconazole to be filled at Acacia.

I was not aware of any communications between the clinic and the client beyond myself providing a second prescription to better facilitate client giving medication to patient, per the client's request. I was not aware of client's concerns beyond providing a second prescription. I had only become aware of issues between the clinic and client when I received this board complaint.

In regards to the complaint over transfer of records to another clinic, that is not a duty I perform nor was I made aware that records were being requested by the client or another clinic.

After reviewing the complaint and records, I do not agree the dose of fluconazole I provided was "three times the upper limit". The suggested upper limit for fluconazole is 100mg/cat PO q12h (North American Companion Animal Formulary 10th Edition p.182, Plumb's Veterinary Drug Handbook 8th edition p.610).

Per the complaint, even though client states that Dr. Quick allegedly made the comment of "three times the upper limit", the client goes on to say that Dr. Quick did not change the dose after receiving the case at his clinic. I believe if another veterinarian truly thought the dose was that elevated, that said doctor would reduce the dose, not maintain it.

Furthermore, as an example of fluconazole use in Valley Fever positive patients, veterinarians who are familiar with treating Valley Fever in canine patients understand that dosing is typically at 10mg/kg. However, suggested dosing of fluconazole in drug formularies list 5mg/kg (North American Companion Animal Formulary 10th Edition p.182, Plumb's Veterinary Drug Handbook 8th edition p.610), with *Plumb's* stating that 10mg/kg can be used for refractory cases, but 10mg/kg dosing in Valley Fever positive canine patients is a commonly used dose for routine cases. It is generally understood in the veterinary community that handles Valley Fever cases that this niche and regional disease requires a unique response on a case-by-case basis that may not be reflected in conventional drug formularies.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Conley', with a long horizontal flourish extending to the right.

Jolene Conley, DVM
Associate Veterinarian
Pet Doctor, LLC



ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD

1740 W. ADAMS STREET, STE. 4600, PHOENIX, ARIZONA 85007

PHONE (602) 364-1-PET (1738) ♦ FAX (602) 364-1039

VETBOARD.AZ.GOV

INVESTIGATIVE COMMITTEE REPORT

TO: Arizona State Veterinary Medical Examining Board

FROM: AM Investigative Committee: Robert Kritsberg, DVM - Chair
Christina Tran, DVM
Carolyn Ratajack
Jarrod Butler, DVM
Steven Seiler

STAFF PRESENT: Tracy A. Riendeau, CVT – Investigations
Marc Harris – Assistant Attorney General

RE: Case: 20-72
Complainant(s): Grace A. Bonacci
Respondent(s): Jolene Conley, DVM (License: 6629)

SUMMARY:

Complaint Received at Board Office: 2/13/20
Committee Discussion: 7/7/20
Board IIR: 8/19/20

APPLICABLE STATUTES AND RULES:

Laws as Amended August 2018
(Lime Green); Rules as Revised September
2013 (Yellow).

On January 15, 2020, "KC," a 3-year-old male domestic short hair cat was presented to Respondent due to coughing, lethargy and weight loss. Respondent examined the cat and performed radiographs and blood work. The cat was administered Depo-Medrol and discharged with doxycycline.

Blood results revealed a positive Valley Fever titer – 1:32, therefore Respondent dispensed fluconazole.

On February 5, 2020, the cat was presented to Pantano Animal Clinic for a second opinion. The cat was evaluated and was administered SQ fluids and dispensed mirtazapine.

There were concerns the fluconazole dosage was too high and it was later recommended to discontinue the medication.

Complainant was noticed and appeared telephonically.

Respondent was noticed and appeared telephonically. Attorney David Stoll appeared.

The Committee reviewed medical records, testimony, and other documentation as described below:

- Complainant(s) narrative: *Grace Bonacci*
- Respondent(s) narrative/medical record: *Jolene Conley, DVM*
- Consulting Veterinarian(s) narrative/medical record: *Pantano Animal Clinic*

PROPOSED 'FINDINGS of FACT':

1. On January 15, 2020, the cat was presented to Respondent for possible hairball. Complainant reported that the cat had been coughing for a couple weeks, had been losing weight, and feeling lethargic. Upon exam, the cat had a weight = 8.2 pounds, a temperature = 100.2 degrees, a pulse rate = 150bpm and a respiration rate = 40rpm. Respondent noted that the cat had a tracheal wheezing that obscured the lung sounds; she also noted what felt like fluid in the gastrointestinal tract on abdominal palpation.

2. Respondent discussed her findings with Complainant and recommended thoracic radiographs and blood work including a Valley Fever titer – Complainant approved. Radiographs revealed a moderate bronchial pattern. Based on Respondent's findings, she felt it be appropriate to medicate the cat while waiting for blood results. The cat was administered Depo-Medrol 20mg/mL – 1 mL SQ and was discharged with doxycycline 100mg, 5 tablets; give ¼ tablet orally twice a day.

3. Blood work revealed the following abnormalities:

Amylase	1387	100 – 1200
PSL	7	8 – 26
Neuts	8976	2500 – 8500
Lymphs	816	1200 – 8000

Coccid AGID: IgG – positive Titer: 1:32

4. On January 21, 2020, Respondent returned to the premises and reviewed the lab results which showed the cat was positive for Valley Fever with a 1:32 titer. She contacted Complainant and was advised that the cat was feeling better with the treatment he received. Respondent relayed the blood results and the uncommon occurrence of Valley Fever in cats. She recommended treating with fluconazole and sending a prescription to a compounding pharmacy. Complainant told Respondent that she would like to price shop, therefore she provided a dose and amount so Complainant could gather accurate price quotes. Respondent further recommended rechecking the cat and Valley Fever titer in six months.

5. Respondent gave technical staff instructions to call a prescription of fluconazole to a compounding pharmacy: Fluconazole 155mg, 120 capsules; give 1 capsule orally twice a day with food – 2 refills. Complainant was contacted to be made aware that the prescription had been called in.

6. On January 27, 2020, Complainant called Respondent's premise to report that the capsules seemed to bitter for the cat therefore Respondent suggested liquid fluconazole. Complainant asked that they have the compounding pharmacy change the spelling of the cat's name as they had the name spelled wrong. Premise staff called in the liquid fluconazole into the compounding pharmacy: Fluconazole 75mg/mL, 90mLs; give 2mL orally or in food twice a day.

7. On February 5, 2020, the cat was presented to Dr. Quick at Pantano Animal Clinic due the cat not eating and lethargy. Complainant relayed the cat's history and current treatment. Dr. Quick examined the cat (W = 7.1, T = 99.9, P = 160, R = 30) and noted the cat was thin, had increased

respiratory sounds, and mild emaciation. He advised Complainant that the current dosage of fluconazole was three times the high end dosage ranch and recommended stopping the medication. Dr. Quick suggested conservative treatment and rechecking in one week, or sooner if the cat's condition did not improve or became worse. The cat was administered 150mLs Lactated Ringer's Solution and mirtazapine ¼ of a 7.5mg tablet. Dr. Quick dispensed two additional doses of mirtazapine to give every 3 days.

8. According to Dr. Quick's narrative, Complainant was unable to get the liquid or capsule fluconazole into the cat therefore he dispensed a pill popper to help with the administration of fluconazole. He encouraged Complainant to get the cat to eat and try to administer the fluconazole along with the mirtazapine. After he reviewed the medical record and radiographs, he would call to see how the cat was doing.

9. Later that day, Complainant went to Respondent's premises to get the cat's medical records. She stated that she had requested them three times, but did not get them. Complainant also had the premise's confirm that the compounding pharmacy had changed the species to dog from cat in the pharmacy records. The pharmacy thought the species was a dog based on the dosage being high for a cat.

10. Dr. Quick stated that he received the medical records, confirmed the diagnosis and saw the dosage of fluconazole that was prescribed. He was concerned that the dose was higher than normal for a feline.

11. On February 7, 2020, Dr. Quick called to check on the cat. Complainant reported that the cat was eating better thus he recommended continuing fluconazole twice a day and mirtazapine. Dr. Quick recommended rechecking the cat in four weeks.

12. On February 12, 2020, the cat was presented to Dr. Lawton at Pantano Animal Clinic for a recheck. The cat had continued inappetence, nausea/drooling, lethargy and some mild weight loss. Complainant did not stop the fluconazole. Dr. Lawton recommended discontinuing the fluconazole and performing blood work. Due to the cat's dehydration, blood was unable to be collected. The cat was treated with SQ fluids, convenia, famotidine, cerenia and dispensed transdermal mirtazapine. Complainant was to return in one week to have the cat rechecked and have blood work performed to check the liver values.

13. On February 13, 2020, the cat was presented to Dr. Lent at Pantano Animal Clinic for increased nausea. Blood was collected and revealed an elevated ALT and GGT due to possible diagnosis of drug hepatopathy. Dr. Lent recommended referral to an internal medicine specialist, but Complainant declined due to financial constraints. The cat was treated with famotidine, cerenia and SQ fluids; as well as denamarin for elevated liver values. If the cat's clinical signs resolved, Dr. Lent recommended restarting fluconazole at 55mg once a day.

14. On February 16, 2020, Complainant reported that the cat was much better, eating and drinking and the nausea had resolved.

COMMITTEE DISCUSSION:

The Committee discussed that Respondent did not have a good reason for starting the cat on such a high dose of fluconazole. According to drug formularies, the dosage of fluconazole should have been closer to 50mg, not 155mg. If Respondent wanted to start the cat on a higher dose, it should have been for a shorter period of time with a recheck much sooner than 6 months.

The cat did not do well on the medication; became inappetent and lost more weight. Respondent acknowledged that the dosage should have been lower, but the Committee did not hear a good reason why the cat was started on a higher dosage – her answers were vague.

Due to the seriousness of the cat's condition, the Committee felt that Respondent should have had more aggressive communication, and treatment plan, with the pet owner than what was provided.

COMMITTEE'S PROPOSED CONCLUSIONS of LAW:

The Committee concluded that possible violations of the *Veterinary Practice Act* occurred.

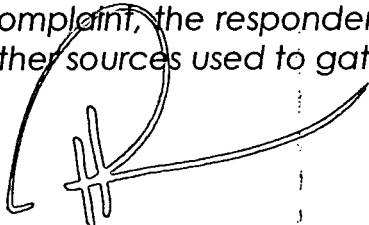
COMMITTEE'S RECOMMENDED DISPOSITION:

Motion: It was moved and seconded the Board find:

ARS § 32-2232 (12) as it relates to AAC R3-11-501 (1) for failure to use current professional and scientific knowledge; based on formularies reviewed, the cat was started on too high of a dose of fluconazole. If Respondent felt the dosage was necessary based on the cat's condition, the prescription should have been for a shorter period of time and the cat rechecked sooner than six (6) months.

Vote: The motion was approved with a vote of 5 to 0.

The information contained in this report was obtained from the case file, which includes the complaint, the respondent's response, any consulting veterinarian or witness input, and any other sources used to gather information for the investigation.



Tracy A. Riendeau, CVT
Investigative Division